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1617  
Dan

"Express Mail" mailing number: ER 985998099 US

Date of Deposit October 21, 2004

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Cathi H. Turner

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## PATENT

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Thakker & Ward

Group Art Unit: 1617

Serial No.: 09/974,519

Examiner: Webman, E. J.

Filed: October 10, 2001

Docket No.: 421/32/2

Confirmation No.: 7285

For: COMPOSITIONS AND METHODS FOR ENHANCING PARACELLULAR PERMEABILITY ACROSS EPITHELIAL AND ENDOTHELIAL BARRIERS

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### AMENDMENT B

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is responsive to the Official Action dated April 21, 2004, for which a shortened statutory period for reply is expired on July 21, 2004. A petition for a three-month extension extending the deadline to response up to and including October 21, 2004 is hereby made. Please charge the small entity extension fee of \$490.00 to Deposit Account No. 50-0426. Favorable consideration is respectfully requested in view of the following Amendments and Remarks.

10/26/2004 AWONDAFT 00000089 500426 09974519

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Serial No.: 09/974,519

applicants respectfully submit that the mechanism by which  $\beta$ -lactoglobulin itself increases TEER (i.e. the formation of tight junctions) is less than clear as evident from the speculations presented by the authors in Document D8. Accordingly, the effect of a compound that is a PLC inhibitor (whose specificity as a PLC inhibitor is impossible to establish from the reference) on the reversal of increase in TEER caused by  $\beta$ -lactoglobulin does not constitute compelling evidence that PLC is involved in the modulation of tight junction permeability. Accordingly, after review of the references cited in the IDS, applicants respectfully submit that the remarks presented hereinabove patentably distinguish claims 1, 2, 6, and 8 from these references.

#### CONCLUSION

In light of the above amendments and remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Official Action.

#### DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.

Date: 10/21/2004

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421/32/2 AAT/CPP/cht  
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